

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CHRISTOPHER G. VALENCIA,

Plaintiff,

v.

DEBORAH SAN JUAN,

Defendant.

No. 1:22-cv-0360 JLT EPG (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
CERTAIN CLAIMS**

(Doc. 8)

Christopher Valencia seeks to hold Deborah San Juan liable for violating his civil rights during a parole consideration hearing. (Doc. 1.) The assigned magistrate judge found Plaintiff stated cognizable claims for violations of the due process clause and retaliation. (Doc. 6.) However, the magistrate judge determined his other claims were not cognizable. (*Id.* at 6-8.) Therefore, the magistrate judge indicated Plaintiff could either file an amended complaint or proceed on the claims found to be cognizable. (*Id.* at 9-10.)

After Plaintiff indicated his willingness to proceed only on the cognizable claims (Doc. 7), the assigned magistrate judge recommended “all claims and defendants be dismissed, except for Plaintiff’s Fourteenth Amendment due process claim against defendant San Juan and his retaliation claim against defendant San Juan.” (Doc. 8 at 2.) Two days after the Findings and Recommendations were issued, Plaintiff again notified the Court that he wished to proceed only on the Fourteenth Amendment due process violation and retaliation claims. (Doc. 11 at 1.) No

1 objections to the Findings and Recommendations dated July 11, 2022 were filed.

2 Pursuant to 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court conducted a *de novo*
3 review of this case. Having carefully reviewed the entire file, the Court concludes the Findings
4 and Recommendations to be supported by the record and proper analysis. Accordingly, the Court

5 **ORDERS:**

- 6 1. The Findings and Recommendations issued on July 11, 2022 (Doc. 8) are
7 **ADOPTED** in full.
8 2. The action **SHALL** proceed only upon Plaintiff's Fourteenth Amendment due
9 process claim against San Juan and his retaliation claim against San Juan.
10 3. All other claims are **DISMISSED**.

11
12 IT IS SO ORDERED.

13 Dated: **August 22, 2022**


UNITED STATES DISTRICT JUDGE